

**ENTERED**

July 07, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

VICTOR HUGO CANALES.,

Petitioner,

v.

LORIE DAVIS,

Respondent.

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CIVIL ACTION NO. 2:19-CV-00330

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DENY PLAINTIFF'S MOTION TO ALTER OR AMEND JUDGEMENT**

Before the Court is Magistrate Judge Julie K. Hampton's Memorandum and Recommendation ("M&R"), entered on February 3, 2021. (D.E. 57). The M&R recommends that the Court deny Petitioner's construed motion to alter or amend the judgment (D.E. 56) under Rule 59(e) for failure to identify a manifest error of law or fact or present newly discovered evidence.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* U.S.C. § 636(b)(1); FED R. CIV. P. 72(b); General Order No. 2002-13. Petitioner timely filed objections to the M&R. (D.E. 64).

The Court has carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of Petitioner, the record, and the applicable law, and finds that the M&R is not clearly erroneous or contrary to law. Therefore, the Court **ADOPTS** the M&R in its entirety. (D.E. 57). Accordingly, Petitioner's motion is **DENIED**. (D.E. 56).

SO ORDERED.

  
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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas  
July 7, 2021